

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ALIANZA AMERICAS, YANET DOE,  
PABLO DOE, and JESUS DOE, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

RONALD D. DESANTIS, Governor of Florida, in his  
official and personal capacities; JARED W. PERDUE,  
Secretary of the Florida Department of Transportation, in  
his official and personal capacities; LAWRENCE A.  
KEEFE, Florida Public Safety Czar, in his official and  
personal capacities; JAMES UTHMEIER, Chief of Staff  
to Florida Governor, in his official and personal capacities;  
STATE OF FLORIDA; THE FLORIDA DEPARTMENT  
OF TRANSPORTATION; JAMES MONTGOMERIE;  
PERLA HUERTA; and VERTOL SYSTEMS  
COMPANY, INC.,

Defendants.

No. 1:22-cv-11550-ADB

**PERLA HUERTA’S MOTION TO DISMISS PLAINTIFFS’ FIRST AMENDED  
COMPLAINT FOR LACK OF PERSONAL JURISDICTION, LACK OF SUBJECT-  
MATTER JURISDICTION, IMPROPER VENUE, AND FAILURE TO STATE A CLAIM**

Defendant Perla Huerta hereby moves to dismiss Plaintiffs’ First Amended Complaint (i) pursuant to Fed. R. Civ. P. 12(b)(2) because Ms. Huerta is not subject to personal jurisdiction in the District of Massachusetts, (ii) pursuant to Fed. R. Civ. P. 12(b)(1) because Plaintiffs lack standing, (iii) pursuant to Fed. R. Civ. P. 12(b)(3) because the District of Massachusetts is an improper venue, and (iv) pursuant to Fed. R. Civ. P. 12(b)(6) because Ms. Huerta is not a state actor or is protected by qualified immunity, and because Plaintiffs have not alleged a constitutional injury or other claim.

In further support of her motion, Ms. Huerta refers to Perla Huerta's Brief in Support of Her Motion to Dismiss Plaintiffs' First Amended Complaint for Lack of Personal Jurisdiction, Lack of Subject Matter Jurisdiction, Improper Venue, and Failure to State a Claim, filed herewith. Ms. Huerta also refers to the Memorandum of Law in Support of Motion by Defendants Vertol Systems Company, Inc. and James Montgomerie to Dismiss or Transfer.

WHEREFORE, Ms. Huerta respectfully requests that this Court dismiss all claims against her. If the Court reaches the non-jurisdictional questions, Ms. Huerta requests that this Court dismiss all claims against her with prejudice.

PERLA HUERTA

By her attorneys,

/s/ Nicholas Ramacher

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Dated: February 28, 2023

**CERTIFICATE OF CONFERENCE**

In accordance with Local Rule 7.1(a), I hereby certify that counsel for Defendants conferred and attempted in good faith to resolve or narrow the issues set forth in this motion with Plaintiffs' counsel, including via e-mail on February 28, 2023. The parties were unable to reach agreement.

/s/ Nicholas Ramacher

Nicholas Ramacher

**CERTIFICATE OF SERVICE**

I hereby certify that I filed this document through the Court's ECF system on February 28, 2023, which will therefore automatically be sent electronically to all counsel of record via the CM/ECF system.

/s/ Nicholas Ramacher

Nicholas Ramacher